

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

58768.000007

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

**10/531996**

INTERNATIONAL APPLICATION NO.

PCT/05/07201

INTERNATIONAL FILING DATE

March 7, 2005

PRIORITY DATE CLAIMED

March 5, 2004

TITLE OF INVENTION

**PARTICULATE MATERIALS AND COMPOSITIONS FOR RADIO THERAPY**

APPLICANT(S) FOR DO/EO/US

**Yongren Benjamin PENG; Xingye Cherry LEI**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An Assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A Preliminary Amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:

Copy of the International Application as Filed

U.S. APPLICATION NO. (SEE INSTRUCTIONS)

107531996  
To Be Assigned

INTERNATIONAL APPLICATION NO.

PCT/05/07201

ATTORNEY'S DOCKET NUMBER

58768.000007

21. ☒ The following fees are submitted:

<input checked="" type="checkbox"/> a) <b>Basic National Fee</b>	<b>\$ 150.00</b>
<input checked="" type="checkbox"/> b) <b>Examination Fee</b>	<b>\$ 100.00</b>
<input checked="" type="checkbox"/> c) <b>Search Fee</b>	<b>\$ 50.00</b>
<b>TOTAL OF ABOVE CALCULATIONS</b>	<b>\$300.00</b>

CALCULATIONS PTO USE ONLY

\$	<b>150.00</b>
\$	<b>100.00</b>
\$	<b>50.00</b>
\$	<b>300.00</b>

☐ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE
- 100	/50		x \$250.00

Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	<b>35 =</b>	<b>15</b>	x <b>\$ 25.00</b>
Independent claims	<b>2 =</b>	<b>0</b>	x <b>\$100.00</b>
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ <b>\$360.00</b>

**TOTAL OF ABOVE CALCULATIONS =**

**\$ 675.00**

☒ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

**SUBTOTAL =**

**\$ 675.00**

Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

+

**TOTAL NATIONAL FEE =**

**\$ 675.00**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

+

**TOTAL FEES ENCLOSED =**

**\$ 675.00**

Amount to be refunded:	\$
Amount to be charged:	<b>\$675</b>

a. ☒ A check in the amount of **\$675.00** to cover the above fees is enclosed.

b. ☐ Please charge Deposit Account No. **50-0206** in the amount of \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **50-0206** A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

**CUSTOMER NO. 21967**

Intellectual Property Department  
Hunton & Williams LLP  
1900 K Street, N.W.; Suite 1200  
Washington, DC 20006-1109  
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*Alexander H. Spiegel*

SIGNATURE

Robert M. Schulman and Alexander H. Spiegel

NAME

31,196 and 56,625

REGISTRATION NUMBER

April 20, 2005

DATE

INTELLECTUAL PROPERTY DEPARTMENT  
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File No: 58768.000007

April 20, 2005

In re application of:	)	
	)	
Yongren Benjamin PENG et al..	)	Group Art Unit: Not Yet Assigned
	)	
Serial Number: Not Yet Assigned	)	Examiner: Not Yet Assigned
	)	
Filed: April 20, 2005	)	Confirmation No. Not Yet Assigned

For: PARTICULATE MATERIALS AND COMPOSITIONS FOR RADIOTHERAPY

**MAIL STOP PCT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Transmitted herewith in the above-identified application are:

- \*Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Submission Under 35 U.S.C. 371
- \*Preliminary Amendment Under 37 C.F.R. § 1.115
- \*Declaration and Power of Attorney for Patent Application (Executed)
- \*Copy of the International Application as filed - Specification (37 pages), Claims (4 pages, numbered 1-35), Abstract (1 page), Drawings (14 pages, Figs 1-10)
- \*A check in the amount of \$675.00 for National Phase filing fee

Fees have been calculated as shown below:

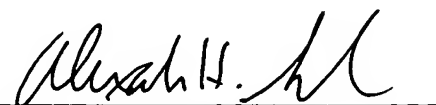
- |                                     |  |
|-------------------------------------|--|
| <input type="checkbox"/>            | No additional fee is required.   |
| <input checked="" type="checkbox"/> | A check in the amount of <u>\$675.00</u> is attached.                                |
| <input type="checkbox"/>            | Charge \$ ____ to Deposit Account No. 50-0206.                                       |
| <input type="checkbox"/>            | Charge any additional fees or credit any overpayment to Deposit Account No. 50-0206. |

**TOTAL FEE DUE**

**\$675.00**

Respectfully submitted,

By:



Alexander H. Spiegler  
Registration No. 56,625

RMS/AHS:sac